



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 4685-99

29 June 2000



Dear M [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 31 August 1973 at age 18. A psychiatric evaluation, conducted on 30 September 1974, found that you had an immature personality disorder with hysterical features and emotional instability. The psychiatrist concluded that although you were medically fit, you were considered administratively unsuitable for continued service in view of the diagnosed personality disorder. On 1 October 1974 you were convicted by a summary court-martial of unauthorized absences totalling 55 days. Subsequently, on 7 November 1974, you received a general discharge by reason of unsuitability due to the diagnosed character and behavior disorder.

Character of service is based, in part, on one's conduct and overall traits averages, both of which are computed from marks assigned during periodic evaluations. Your conduct and overall trait averages were both 2.8. A minimum conduct mark of 3.0 was required for a fully honorable characterization of service at the time of separation.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and immaturity and the contention that you should have received a medical discharge. However, the Board concluded that these factors were not sufficient to warrant recharacterization of your discharge or change the reason for discharge due to your court-martial as well as the fact that your conduct average was insufficiently high to warrant a fully honorable discharge. In this regard, your personality disorder warranted an administrative discharge and not a medical discharge since you were found fit for duty. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director